IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CIVIL JURISDICTION

CIVIL APPLICATION NO.375 OF 2004
IN
LETTERS PATENT APPEAL NO.77 OF 2005
IN
WRIT PETITION NO.5247 OF 1990

Balmer Lawrie & Co. Ltd. & anr.).. Applicants

Versus

Engineering Workers' Association & anr.).. Respondents

Mr.J.P.Cama with Mr.S.K.Talsania i/b.M/s.Crawford Bayley & Co. for the Applicants.

Ms.N.D.Buch with Ms.Bina Dholakia for Respondent No.1.

CORAM: H.L. GOKHALE AND
S.P. KUKDAY, JJ.

DATED: 20TH JUNE 2005

P.C.:

. Heard Mr.Cama and Mr.Talsania in support of this Civil Application. Ms.Buch appears for Respondent No.1 Union.

2. It appears that only four or five employees are concerned with the benefit under the order of the Single Judge. Mr.Cama has stated that the Applicant Company is willing to deposit the amount meant for these employees in the Court. It is also informed to the Court that from 1994 onwards the age of retirement is now revised to 60 years for the concerned Division. This being the position, we do not think that there is any occasion to

grant stay. The Civil Application is, therefore, disposed of by permitting the Applicants to deposit the amount in Court which the employees concerned may withdraw by giving security to the satisfaction of the Registrar. In the event any other prior employee make any application to the management for claiming on the same footing, it will be open to the Applicant-Management to file appropriate Civil Application in which case a prayer for stay of the order will be considered. Respondent No.1 Union may furnish the list of workmen who are covered under the order of learned Single Judge.

3. Civil Application disposed of.

(H.L. GOKHALE, J.)

(S.P. KUKDAY, J.)